

Town of Farmington  
Board of Selectmen Meeting Minutes  
Non-Public Session F – UN SEALED  
Monday, September 25, 2017

**Board Members Present:**

Paula Proulx, Chairman  
Neil Johnson, Vice Chairman  
Jim Horgan  
Charlie King  
Ann Titus

**Others Present:**

Arthur Capello, Town Administrator

Motion: (Johnson, second Horgan) to enter non-public session under RSA 91-A: 3 II (d) Acquisition, Sale or Lease of Property passed 5-0 by a roll call vote (Proulx, Johnson, Horgan, King, Titus- yes) at 8:25 p.m.

The board previously requested that Mr. Capello contact the Town Attorney regarding taking ownership of the former Cardinal landfill property for back taxes owed and negotiate a PILOT/lease agreement directly with NH Solar Garden instead of with the current owner, NH Custodial Trust. The attorney advised against taking the property as it is considered a high risk property due to the health and groundwater impacts at the contaminated site that are still not under control, the federal assessment of the site is incomplete and the Town could become liable for compliance with the NH Dept. of Environmental Services (NH DES) Groundwater Management Permit, implementation of controls over the property, maintenance of the parcels and costs related to personal injury suits.

Consensus of the board was not to pursue taking ownership of the Cardinal landfill property, to request that Mr. Capello present a counter proposal to the proposed PILOT agreement to NH Custodial Trust, to ask the Trust what amount is still available from the funds set aside for the cleanup of the properties and why more isn't being done to clean them up, discuss the deed restrictions at the sites with the DPW Director and to contact the DES representative and ask him to justify his statements that no further remediation is needed in light of the 2016 NH DES report.

Motion: (Johnson, second Horgan) to come out of non-public session passed 5-0 at 8:35 p.m.

Motion: (Johnson, second Horgan) to seal the minutes until the matter is resolved passed 5-0. Respectively submitted

Kathleen Magoon, Recording Secretary

---

Paula Proulx, Chairman

---

Neil Johnson, Vice Chairman

---

Ann Titus

---

Jim Horgan

---

Charlie King

